

ORDINANCE NO. of 2019

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND VOLUME II OF THE CODE OF ORDINANCES OF THE PARISH OF CADDO, AS AMENDED, THE CADDO PARISH UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 16.1 CODE TEXT AMENDMENT REGARDING THE AMENDMENT PROCESS; BY AMENDING SECTION 16.2 ZONING MAP AMENDMENT REGARDING THE AMENDMENT PROCESS, BY AMENDING SECTION 16.5 ADMINISTRATIVE EXCEPTION TO ZONING REGARDING PROCESS AND STANDARDS, BY AMENDING SECTION 16.6 SITE PLAN REVIEW REGARDING PROCESS AND STANDARDS, BY AMENDING ARTICLE 16 ZONING APPLICATION APPROVAL PROCESSES TO ENACT SECTION 16.11 CERTIFICATE OF OCCUPANCY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Caddo Parish Commission, on recommendation of the Shreveport-Caddo Parish Metropolitan Planning Commission, adopted the Caddo Parish Unified Development Code;

WHEREAS, the Metropolitan Planning Commission has determined that certain provisions in that Code should be changed to address recent issues and improve the application and administration of that Code and land use in the Metropolitan Planning Commission's jurisdiction within Caddo Parish;

WHEREAS, the Caddo Parish Commission, having considered the recommendations of the Metropolitan Planning Commission, agrees that such changes are desirable.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that the Unified Development Code be amended as follows:

I. Section 16.1 is amended to read as follows:

16.1 CODE TEXT AMENDMENT

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2. Action by Metropolitan Planning Commission

- a. After receipt of a complete application, summary, and staff comments, including a recommendation from the Executive Director, the Metropolitan Planning Commission will consider the proposed Code text amendment at a public hearing in accordance with Section 15.3 (Public Hearing). Notice for the public hearing must be in accordance with Section 15.2 (Notice).
- b. The Metropolitan Planning Commission must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section and shall recommend any of the following actions: recommendation of approval, recommendation of approval with modifications, or recommendation of denial of the application for a Code text amendment.
- c. Within 60 days of the close of the date that the recommendation is rendered, the Metropolitan Planning Commission must forward its recommendation to the Parish Commission.

3. Action by Parish Commission

- a. Upon receipt of a copy of the filed application, the Metropolitan Planning Commission Staff Report and the Metropolitan Planning Commission's recommendation the Parish Commission will follow this Code and the Parish Commission Rules of Procedure in review and action on the proposed Code text amendment.
- i. The Parish Commission must act on the application within 90 days of receipt of the Metropolitan Planning Commission recommendation unless the Parish Commission grants additional consideration time before the 90 day period has expired.
- ii. If the Parish Commission does not act upon the application within 90 days of receipt of the Metropolitan Planning Commission recommendation, the application is deemed denied unless the Parish Commission grants additional consideration time before the 90 day period has expired.
- b. Decisions on a Code text amendment are not final until the Parish Commission takes action on the proposed Code text amendment in one of the following ways: approval, approval with modifications, or denial. Modifications for a Code text amendment are only allowed to clarify the intent of the proposed amendment, to resolve contradictions under the Code or to correct errors such as grammatical mistakes, labeling, numbering or formatting issues. The Parish Commission may also return the application or request for a Code text amendment to the Metropolitan Planning Commission with instructions for further review and consideration.
- i. Simple Majority Vote. If the Metropolitan Planning Commission recommended approval of the Code text amendment then the Parish Commission may render its decision to approve the amendment with a simple majority vote. (State law reference: La. R.S. 33:140.30)
- ii. Two-Thirds Vote. If the Metropolitan Planning Commission recommended denial of the Code text amendment then the Parish Commission shall render its decision to approve the amendment with a two-thirds vote. (State law reference: La. R.S. 33:140.30)

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II. Section 16.1 is amended by substituting Exh. A-1 hereto in place of the existing Figure 16-1 on Page 16-3

III. Section 16.2 is amended to read as follows:

16.2 ZONING MAP AMENDMENT

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D. Process

1. Action by Executive Director

All applications for a zoning map amendment must be filed with the Executive Director in accordance with Section 15.1 (Application). The Executive Director shall take the following actions upon submittal of an application.

- a. Once it is determined that the application is complete, the Executive Director shall review and provide a summary of the proposed zoning map amendment and shall also include staff comments and a recommendation regarding the application and proposed zoning map amendment.
- b. The Executive Director shall then schedule the application for consideration by the Metropolitan Planning Commission.

2. Action by Metropolitan Planning Commission

- a. After receipt of a complete application, summary, and comments including a recommendation from the Executive Director, the Metropolitan Planning Commission will consider the proposed zoning map amendment at a public hearing in accordance with Section 15.3 (Public Hearing). Notice for the public hearing must be in accordance with Section 15.2 (Notice).
- b. The Metropolitan Planning Commission must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section and shall recommend any of the following actions: recommendation of approval, recommendation of approval with modifications, or recommendation of denial of the application.
- c. Within 60 days of the close of the date that the recommendation is rendered, the Metropolitan Planning Commission must forward its recommendation to the Parish Commission.

3. Action by Parish Commission

- a. Upon receipt of a copy of the filed application, the Metropolitan Planning Commission Staff Report and the Metropolitan Planning Commission's recommendation the Parish Commission will follow this Code and the Parish Commission Rules of Procedure in review and action on the proposed zoning amp amendment.
 - i. The Parish Commission must act on the application within 90 days of receipt of the Metropolitan Planning Commission recommendation unless the Parish Commission grants additional consideration time before the 90 day period has expired.
 - ii. If the Parish Commission does not act upon the application within 90 days of receipt of the Metropolitan Planning Commission recommendation, the application is deemed denied unless the Parish Commission grants additional consideration time before the 90 day period has expired.
- b. Decisions on a zoning map amendment are not final until the Parish Commission takes action on the proposed zoning map amendment for properties within the boundaries of the City of Shreveport, Louisiana in one of the following ways: approve or deny. The Parish Commission may also return the application or request for a zoning map amendment to the Metropolitan Planning Commission with instructions for further review and consideration.
 - i. Simple Majority Vote. If the Metropolitan Planning Commission recommended approval of the zoning map amendment then the Parish Commission may render its decision to approve the amendment with a simple majority vote. (State law reference: La. R.S. 33:140.30)
 - ii. Two-Thirds Vote. If the Metropolitan Planning Commission recommended denial of the zoning map amendment then the Parish Commission shall render its decision to approve the amendment with a two-thirds vote. (State law reference: La. R.S. 33:140.30)

E. Approval Standards

In making their recommendation and decision, the Metropolitan Planning Commission and Parish Commission must consider the following standards. The approval of zoning map amendments is based on a balancing of these standards:

1. The compatibility with the existing use and zoning of nearby property.

2. The extent to which the proposed amendment promotes the public health, safety, and welfare.
3. The suitability of the property for the purposes for which it is presently zoned, i.e., the feasibility of developing the property in question for one or more of the uses allowed under the existing zoning classification.
4. The consistency of the proposed amendment with the Master Plan and any adopted land use policies.
5. That the proposed amendment will benefit Caddo Parish as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.
6. The extent to which the proposed amendment creates nonconformities.
7. The trend of development, if any, in the general area of the property in question.
8. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted.

F. Appeals

Within 30 days after the date of the decision, the applicant or any aggrieved party may appeal a Parish Commission decision on a zoning map amendment to Caddo Parish Civil District Court.

IV. Section 16.2 is amended by substituting Exh. B-1 hereto in place of the existing Figure 16-2 on Page 16-6

V. Section 16.5 is amended to read as follows:

16.5 ADMINISTRATIVE EXCEPTION TO ZONING

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C. Authority

Only the items listed below are eligible for an administrative exception; all other requests for relief are considered variances under Section 16.4. The Executive Director is authorized to grant administrative exceptions as follows:

1. A reduction in a required setback of the district of no more than 15%.
2. A reduction in the required setbacks for accessory structures of no more than one foot.
3. A reduction of required off-street parking spaces by no more than 10% of that required or two spaces, whichever is greater.
4. Provision of additional off-street parking spaces above any parking maximums when applicable.
5. A reduction in required bicycle parking of up to 50%.
6. A density increase of no more than 10% of the total number of residential units.

7. An increase in building height of six feet or less.
8. A hardship exists in the landscaping or screening requirements because of lot topography, size, shape, or location.

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VI. Section 16.6 is amended to read as follows:

16.6 SITE PLAN REVIEW

A. Purpose

1. Intent

The site plan review process is intended to promote orderly development and redevelopment in the City of Shreveport, and to assure that such development or redevelopment occurs in a manner that is harmonious with surrounding properties, is consistent with the Master Plan and adopted land use policies, and promotes the public health, safety, and welfare. This section provides standards by which to determine and control the physical layout and design to achieve compatibility of land uses and structures, efficient use of land, minimization of traffic and safety hazards, and incorporation of stormwater management and sustainable design techniques.

2. Exclusion of Detached Single Family and Two Family Uses

The Site Plan process establishes a procedure for coordinating improvements to properties zoned other than detached single family or two family uses.

3. Multifamily, Townhome and Nonresidential Uses

Through Site Plan review, zoning regulations and other applicable standards or ordinances that may apply to specific site development can be uniformly implemented by this Code for multifamily, townhome and nonresidential uses.

4. Results

This procedure is intended to promote, among other items, the efficient and harmonious use of land, safe and efficient vehicular and pedestrian circulation, parking and loading, lighting, screening, open space, landscaping, and natural features.

B. Authority

The Executive Director shall review and issues final approval of site plans, unless a use and/or development is required to undergo site plan review by the Metropolitan Planning Commission; in such case the Metropolitan Planning Commission has final site plan approval.

C. Applicability

1. Uses Requiring Site Plan Review

- a. All special uses require site plan review by the Metropolitan Planning Commission.
- b. Certain permitted uses are identified in the use standards as requiring site plan review. These uses are reviewed by the Executive Director unless the standards require review by the Metropolitan Planning Commission.
- c. Bus transfer stations.

d. Food truck parks, major or minor.

2. Developments Requiring Site Plan Review

Site plan review and approval is required for the following types of developments described in this section. These developments are reviewed by the Executive Director, unless the Code specifically requires review by the Metropolitan Planning Commission.

- a. New townhouse, multi-family, and non-residential (including mixed-use) construction.
- b. Additions to existing townhouse, multi-family, and non-residential (including mixed-use) development that increases the total floor area by 10% or more.
- c. New construction of parking lots of 10 or more spaces.
- d. New construction of parking structures.
- e. Any development with a drive-through facility, including a freestanding automated teller machine.
- f. Residential conversions per Section 4.2.F.
- g. Non-residential uses permitted by the RP Overlay District.

D. General Process

Site Plan Review involves a series of two plans, progressing from a generalized evaluation of a site and development concept, being a Preliminary Site Plan, to approval of a detailed development plan, being a Final Site Plan. All applications for site plan review must be submitted to the Executive Director in accordance with the requirements in Section 15.1 (Application).

1. Preliminary Site Plan

- a. The first plan in the series is the Preliminary Site Plan. A Preliminary Site Plan presents general information on building layout, parking, drives, landscaping, screening and other site improvements.
- b. Preliminary Site Plan approval assures the applicant that the general layout is acceptable prior to proceeding with detailed engineering and design work.

2. Final Site Plan

- a. A Final Site Plan is a detailed, scaled drawing of all surface improvements, structures and utilities proposed for development.
- b. Final Site Plan approval is required prior to the issuance of building permits.

3. Preliminary Site Plan and Final Site Plan Approval

- a. Preliminary Site Plans require review and approval by the Executive Director, unless otherwise specified by ordinance.
- b. Final Site Plans require review and approval by the Executive Director, unless the standards require review by the Metropolitan Planning Commission. All special use permits require final site plan review and approval by the Metropolitan Planning Commission.

E. Procedures, Forms and Standards

The Executive Director shall establish procedures, forms and standards with regard to the content, format and information constituting an application for Preliminary Site Plans and Final Site Plans. The Executive Director may amend and update the application materials from time to time.

F. Approval Criteria/Standards

The following must be evaluated in the review of site plans:

1. Conformity with the regulations of this Code, and any other applicable regulations within the Code of Ordinances, and the Master Plan and other adopted land use policies.
2. The location, arrangement, size, design and general site compatibility of structures, lighting, and signs to ensure:
 - a. Efficient use of land that responds to the existing off-site utilities and service conditions in order to minimize the demand for additional municipal services, utilities, and infrastructure.
 - b. Compatibility with, and mitigation of, any potential impact upon adjacent property.
 - c. Illumination designed and installed to minimize adverse impact on adjacent properties.
 - d. Signs in conformance with this Code.
3. Landscape and the arrangement of open space or natural features on the site should:
 - a. Create a desirable and functional open space environment for all site users, including pedestrians, bicyclists, and motorists.
 - b. Preserve unique natural resources, including measures to preserve and protect existing healthy plantings.
 - c. Design drainage facilities to promote the use and preservation of natural watercourses and patterns of drainage.
 - d. Utilize plant materials suitable to withstand the climatic conditions of the City of Shreveport and microclimate of the site. The use of species native and naturalized to Louisiana is encouraged.
 - e. Use of screening to minimize the impact of the development on adjacent uses and impact of incompatible uses and certain site elements, and creating a logical transition to adjoining lots.
4. Circulation systems and off-street parking designed to:
 - a. Provide adequate and safe access to the site for motor vehicles as well as alternate modes of transportation, including pedestrians, bicyclists, and public transit users.
 - b. Eliminate dangerous traffic movements.
 - c. Minimize curb cuts by using cross-access servitudes and shared parking.
 - d. Clearly define a network of pedestrian connections in and between parking lots, street sidewalks, open spaces, and structures that is visible, identifiable, and safe.

G. Preliminary Site Plan

1. Preliminary Site Plan General Information

A Preliminary Site Plan is the first plan in the Site Plan approval process. A Preliminary Site Plan is less detailed and specific than a Final Site Plan in terms of exact arrangement of buildings, parking areas, open spaces, access points and any other site design features. A checklist of all required information to be depicted on a Preliminary Site Plan shall be maintained by the Executive Director.

2. Preliminary Site Plan Application Procedure and Requirements

A preliminary site plan shall be submitted in accordance with the following requirements:

a. Pre-Application Review

- i. The purpose of the pre-application review is to provide an opportunity for an informal evaluation of an applicant's proposal and to become familiar with the MPC's submittal requirements, development standards, and approval criteria with the Development Review Committee (DRC). The DRC may provide recommendations and/or inform the applicant of any potential issues that might be presented to the applicable decision-making body. The pre-application meeting does not require formal application or fee.
- ii. The Director may require an additional pre-application meeting if a complete application is not submitted within six months of the pre-application meeting.

b. Pre-Application Evaluation Not Binding

The informal evaluation and recommendations provided by the Executive Director or authorized staff during a pre-application meeting shall in no way be considered binding upon the applicant, the MPC or the City of Shreveport, nor represents approval of a project with respect to any official action that may be taken on the subsequent formal application.

c. Pre-Application Waiver

The Executive Director may waive the pre-application requirement for applications if he or she finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly, in his or her opinion, support such waiver. Granting the pre-application conference waiver may increase the risk that the application will be rejected or processing will be delayed.

d. Preliminary Site Plan Application Submittal

Within one (1) business day after the date of the pre-application review, the MPC shall notify the applicant in writing of its informal recommendations regarding the desired development activity. After the applicant has received written notice of the Development Review Committee's (DRC) informal comments, a formal preliminary site plan application may be submitted.

- i. The Executive Director shall compile the requirements for application contents, forms, and fees and make such materials available to the public. The Executive Director may amend and update the application materials from time to time.
- ii. The Executive Director shall make a determination of application completeness. If the application is determined to be complete, the application shall then be processed according to the procedures set forth in this Code.
- iii. An application will be considered complete if it is submitted in the required form, includes all mandatory information and supporting

materials specified in the application packet, and is accompanied by the applicable fee.

- iv. If the application is determined to be incomplete, the Executive Director shall provide notice to the applicant that includes an explanation of the application deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected in a resubmittal.
- v. If any false or misleading information is submitted or supplied by an applicant on an application, that application will be deemed void and a new application must be submitted together with payment of applicable development review fees.
- vi. An applicant may file a final site plan in lieu of a preliminary site plan.

e. Preliminary Site Plan Application Review and Preparation of Staff Report

Following a determination that an application is complete, the Executive Director shall circulate the application to staff and appropriate referral entities for review. The Executive Director may also refer applications to other boards, commissions, government agencies, and nongovernmental organizations not referenced in this Article.

f. Executive Director Issues Decision and Findings for Preliminary Site Plan

After consideration of the application, the staff report, comments received from other reviewers (if applicable), the Executive Director shall approve, approve with conditions, or deny the application based on the applicable approval criteria/standards. Written notification of the decision shall be provided by the Executive Director to the applicant within seven business days following the decision.

g. Modification or Amendment to Preliminary Site Plan

The Executive Director may approve minor amendments to the site plan, an approved preliminary site plan for a small planned unit development (SPUD) and an approved final site plan for a planned unit development (PUD), provided the amendment conforms to the following standards:

- i. The amendment does not increase the density of the development by no more than 10% in the total number of residential units.
- ii. The amendment does not substantially alter the arrangement of buildings, increase the number or size of buildings (limited to no more than a 10% increase in the total gross floor area in square feet), or change the use of building space designated on the original plan.
- iii. The amendment does not substantially alter the configuration of streets or lots.
- iv. The amendment does not increase the height of buildings by more than six feet.
- v. The amendment does not substantially alter vehicular circulation or placement of parking areas.
- vi. The amendment does not significantly reduce or lessen the effectiveness of open space, landscape buffers, and edges.
- vii. The amendment does not conflict with other regulations specified within the ordinance establishing the Preliminary Site Plan.

- viii. Any other requested modifications require submittal of a new preliminary site plan for review and approval.

H. Final Site Plan

The site plan review and approval procedure is intended to ensure compliance with the development and design standards of this Code and to encourage quality development reflective of the goals and objectives of the Master Plan. The final site plan review procedures ensure that the MPC has the ability to address and mitigate any adverse impacts that may result from development projects.

1. Final Site Plan General Information

A Final Site Plan is the second plan in the Site Plan approval process. A Final Site Plan is more detailed and specific plan of the public and private improvements to be constructed. A checklist of all required information to be depicted on a final site plan shall be maintained by the Executive Director. The purpose of the plan is to:

- a. Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property;
- b. Coordinate and document the design of public and private improvements to be constructed;
- c. Coordinate the subdivision of land, including the granting of easements, rights-of-way, development agreements and provision of surety;
- d. Promote the health, safety and welfare of the public; and
- e. Identify and address environmental concerns (i.e., floodplain, drainage, trees, topography, etc.).

2. Final Site Plan Application Procedure and Requirements

A Final Site Plan is a prerequisite for the approval of any building permit. A final site plan shall be submitted and approved in accordance with the following requirements:

a. Pre-Application Review

A pre-application review for a final site plan is not required if the applicant has previously attended the pre-application review as a part of the preliminary site plan process or if the applicant has been granted a waiver by the Executive Director.

b. Final Site Plan Application Submittal

An applicant who has received approval of a preliminary site plan may submit a final site plan for approval by the Executive Director or, in the case of a special use permit or a small planned unit development (SPUD), the Metropolitan Planning Commission. This application shall include the information listed on the Final Site Plan Application Form and Checklist, which shall be created and maintained by the Executive Director.

c. Final Site Plan Standards of Approval

- i. Administrative Review and Approval. The application for final site plan approval shall be reviewed by the Executive Director and all other appropriate review departments and/or agencies. The Executive Director may approve, approve with conditions or deny the application based upon the criteria listed below.

- ii. Metropolitan Planning Commission Approval. In cases that require site plan review by the Metropolitan Planning Commission, the Metropolitan Planning Commission may approve, approve with conditions, or deny a final site plan based upon the criteria listed below.

3. Final Site Plan Approval Criteria.

The following must be evaluated in the review of site plans:

- a. Conformity with the regulations of this Code, and any other applicable regulations within the Code of Ordinances, and the Master Plan and other adopted land use policies.
- b. The location, arrangement, size, design and general site compatibility of structures, lighting, and signs to ensure:
 - i. Efficient use of land that responds to the existing off-site utilities and service conditions in order to minimize the demand for additional municipal services, utilities, and infrastructure.
 - ii. Compatibility with, and mitigation of, any potential impact upon adjacent property.
 - iii. Illumination designed and installed to minimize adverse impact on adjacent properties.
 - iv. Signs in conformance with this Code.
- c. Landscape and the arrangement of open space or natural features on the site should:
 - i. Create a desirable and functional open space environment for all site users, including pedestrians, bicyclists, and motorists.
 - ii. Preserve unique natural resources, including measures to preserve and protect existing healthy plantings.
 - iii. Design drainage facilities to promote the use and preservation of natural watercourses and patterns of drainage.
 - iv. Utilize plant materials suitable to withstand the climatic conditions of the City of Shreveport and microclimate of the site. The use of species native and naturalized to Louisiana is encouraged.
 - v. Use of screening to minimize the impact of the development on adjacent uses and impact of incompatible uses and certain site elements, and creating a logical transition to adjoining lots and developments.
- d. Circulation systems and off-street parking designed to:
 - i. Provide adequate and safe access to the site for motor vehicles as well as alternate modes of transportation, including pedestrians, bicyclists, and public transit users.
 - ii. Eliminate dangerous traffic movements.
 - iii. Minimize curb cuts by using cross-access servitudes and shared parking.
 - iv. Clearly define a network of pedestrian connections in and between parking lots, street sidewalks, open spaces, and structures that is visible, identifiable, and safe.
- e. Elevation drawings of proposed façades and/or façade improvements including proposed signs.

4. Decisions for Final Site Plan

After consideration of the application, the staff report, comments received from other reviewers (if applicable), the Executive Director or Metropolitan Planning Commission, where applicable, shall approve, approve with conditions, or deny the application based on the applicable approval criteria/standards.

5. Conditions

If the Executive Director or Metropolitan Planning Commission approves the final site plan subject to conditions, all plans and drawings submitted as part of the application for a building permit or other approval must include those conditions.

I.H. Modifications to Approved Site Plans

1. An application for an amendment to an approved site plan must be submitted to the Executive Director. Amendment applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.
2. The Executive Director may approve the following minor modifications to approved site plans:
 - a. Minor changes required that are related to final engineering issues during construction involving topography, drainage, underground utilities, or structural safety. The written description must show how such minor change is related to one or more of these elements.
 - b. Exterior renovations to a building façade that do not increase the building footprint or height.
 - c. The modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Code.
 - d. The construction of additional bicycle or parking spaces.
 - e. A reduction in the amount of bicycle or parking spaces so long as the remaining number of spaces is in conformance with the requirements of this Code.
 - f. Modifications to the approved landscape plan that does not result in a reduction of the total amount of plant material required and conform to all landscape requirements.
 - g. The modification of existing signs or the addition of new signs when in conformance with the requirements of this Code.
3. The Executive Director must approve or deny the proposed site plan modifications within 30 days of receipt of a complete application. The Executive Director may decide that the proposed change or changes to the approved site plan is such a significant change that it constitutes a new application and is subject to a complete site plan review per the provisions of this section.

J. Façade Improvements to Existing Buildings

1. Minor facade modifications shall be exempt from the requirements of a site plan review if the Executive Director finds all of the following conditions to exist:
 - a. No building square footage or dwelling units are added.
 - b. The minor facade modification as a whole complements the architectural style of the building.

- c. The various facade components, including but not limited to color, construction material and architectural features, are compatible and consistent with one another and complement the architectural style of the building.
- d. The Executive Director may condition his or her /her decision by requiring such visual elements as may be necessary.
- e. Minor facade modifications meeting the above conditions shall require submittal and approval of a Minor Façade Improvements Review application before submittal for a building permit.
- f. Minor facade modifications not meeting the above conditions shall require submittal and approval of a Site Plan Review application.
- g. Minor façade improvements do not pertain to single family dwellings and duplexes, which are exempt from the provisions of this subsection.

K. Modifications to Sites without Approved Site Plans

- 1. All existing improved developments that do not have a site plan on file will be considered non-conforming. Site plan approval will not be required for all of these developments except in the following described circumstances. If any one of the following occurs, site plan approval will be required:
 - a. The existing principal structure(s) is demolished and a new principal structure(s) is constructed.
 - b. A new principal structure(s) is constructed.
 - c. The existing structure or structures is increased in total building footprint by 25% or more.
 - d. An existing parking lot of more than 20 spaces is fully reconstructed or repaved (any amount of reconstruction or repaving over 50% of the total area of the parking lot is considered fully reconstructed or repaved), or an existing parking lot area is expanded by 50%. Resealing or re-stripping of an existing parking lot, which does not entail paving, is not considered reconstruction.
 - e. A new driveway is constructed that is connected to a public street.
 - f. Major changes in the vehicular circulation pattern of the site that will require staff analysis of the site.

LG. Appeals

Within 30 days after the date of the final decision, the applicant or any aggrieved party may file a written appeal of the decision of the Executive Director to the Metropolitan Planning Commission. Any appeals of Metropolitan Planning Commission decisions on site plan reviews are appealed as part of the applicable zoning application.

VII. Section 16.11 is enacted to read as follows:

16.11 CERTIFICATE OF OCCUPANCY

The certificate of occupancy (CO) is the final construction document issued by the Zoning Administrator to authorize occupancy of a structure upon completion of all building and construction related issues. It is unlawful to operate a business

without a certificate of occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Zoning Administrator has issued a certificate of occupancy. The Zoning Administrator shall keep a record of all certificates of occupancy and compliance. The Zoning Administrator may revoke a certificate of occupancy and compliance when it is found that the building or land does not conform to the use or condition, if any, in the certificate. Each day a use continues after revocation of the certificate shall constitute a separate offense and shall be punished as provided therein.

BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

Parish Attorney

Date